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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,880	05/01/2001	Robert Harada	3013/21	5913
7590 John G. Bisbikis McDermon, Will & Emery 227 W. Monroe Street Chicago, IL 60606-5096			EXAMINER DASS, HARISH T	
			ART UNIT	PAPER NUMBER
			3693	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/28/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/846,880

Applicant(s)

HARADA ET AL.

Examiner

Harish T. Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-21,23 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-21,23 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 7, 22, 24-28 are canceled.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-21, 23, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cotton et al (hereinafter Cotton - US 6,076,074) in view of Riboud (US 6,269,345) and Tyson-Quah (US 2004/0236687).

Re. Claim 1, Cotton discloses receiving a transaction request to transfer funds from the source account to the local currency [col. 1 lines 12-15 (receiving), 29-44 (fund transfer); col. 2 line 50 to col. 3 line 15; col. 3 lines 65-67 (payment order or request); col. 15 lines 46-62; col. 16 lines 15-17],

verifying availability of sufficient funds in the source account [col. 2 lines 29-38 – checked against account],

creating a payment instruction to transfer funds from the source account to the local currency account [Figures 2-3; col. 1 lines 37-48, lines 55-63; col. 2 lines 4-5; col. 16 lines 15-23 (foreign exchange dollar-Euro)-- since the fund transfer is for foreign exchange, it is obvious that the accounts settlement are done in local currency,

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therefore the accounts are inherently in local currency unless it is specified the account is not in local currency, also see specification page 1 - background of invention],

accordance with the payment request, funds are transferred from the funds source (source account) to a treasury (FRB2) account if necessary to maintain a balance at the treasury account which is sufficient to cover an amount of the payment request, and funds at the treasury account are used to provide at least one of (a) a payment to [Cotton – col. 1 lines 10-64; col. 2 line 50 to col. 3 line 15; col. 3 lines 65-67; col. 15 lines 12-45; col. 16 lines 12-39].

Cotton does not explicitly disclose communicating the payment instruction directly to the local currency account in the second country; and wherein the payment instruction designates a beneficiary account in the second country for the local currency account to transfer currency to, and separately communicating payment request, and a credit entry on behalf of, the local currency account in a currency of the second country (optional), and determining a transaction type;

determining, based on the transaction type, an appropriate transaction route; depending on the transaction type, routing the transaction to a global trading system or to a general ledger within an international treasury system.

However, Riboud discloses communicating the payment instruction directly to the local currency account in the second country; and wherein the payment instruction designates a beneficiary account in the second country for the local currency account to transfer currency to, and separately communicating payment request to a funds source associated with the account, a credit entry on behalf of, the local currency account in a

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currency of the second country (optional – see at least one) [col. 1 line 52 to col. 2 line 45; col. 6 lines 35-57; col. 7 lines 38-53 – see “transferring, to another entity, quantities ..., via the transmission network,”] to provide a currency transfer system for different local currency for international transactions using protected communications network. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cotton and include the above features disclosed by Riboud to provide a currency transfer system for different local currency for international transactions using protected communications network.

Tyson-Quah discloses determining a transaction type, determining, based on the transaction type, an appropriate transaction route, depending on the transaction type, routing the transaction to a global trading system or to a general ledger within an international treasury system [paragraphs 23-24, 136, 152 (categories of payment type = transaction type), 160 (various payment channels, alternative, Fedwire)] to transfer payment using different processing channels and using alternative liquidity/payments channels where payment managers operate for separate channels. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Cotton and Riboud and include the above features disclosed by Tyson-Quah to transfer payments using different channels and using alternative liquidity/payments channels where payments managers operate for separate channels for different types of accounts.

Claim 23 is rejected with same rational as claim 1.

Re. Claims 2-3, Cotton discloses wherein: the payment to the local currency account is provided by exchanging the funds at the treasury account for the currency of the second country, and transferring the exchanged funds to the local currency account, and wherein: the credit entry is provided by exchanging the funds at the treasury account for the currency of the second country, and making a credit entry for the exchanged funds in a general ledger on behalf of the local currency account [C16 L22-L67].

Re. Claim 4, Cotton discloses the communicating of the payment instruction to the local currency account is independent of the communicating of the payment request to the funds source [C1 L65 to C2 L15].

Re. Claim 5, Cotton discloses wherein: the funds source draws from the source account [C5 L48-L55].

Re. Claim 6, Cotton discloses wherein: the payment instruction identifies at least one of: a currency type of the first country, the source account, and a type of financial product associated with the transaction request [C1 L64 to C2 L30; C16 L12-L23].

Re. Claim 8, Cotton discloses validating transaction data associated with the payment instruction prior to communicating the payment instruction to the local currency account [C2 29-L50].

Re. Claims 9-11, Riboud further discloses further comprising: determining an exchange rate for user approval prior to communicating the payment instruction to the local currency account, wherein the providing of the payment to, or credit entry on behalf of, the local currency account, is responsive to the exchange rate, the exchange rate is determined using data that is stored locally to the computer system, and wherein: the user is enabled to create the transaction request using a computer system; and the exchange rate is dynamically determined through an external foreign exchange information service [Figures 3, 5; C1 L64 to C2 L9; C7 L60-L67; C5 L53-L65; C6 L65 to C11; C8 L48 to C9 L11] to determine the conversion operation to convert local unit (local currency) to second entity (foreign currency) and transfer the amount in different currency. Further, currency exchange is well known for example, American Express office around the US and overseas daily publish foreign exchange rate of major foreign currency for travelers to provide user with information what is the conversion rate, similarly major newspapers publish the currency exchange rate for different currency. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosures Cotton and Tyson-Quah and include above features as disclosed by Riboud to provide foreign currency conversion rate and means to transfer currency at market rate.

Re. Claim 12, Cotton discloses further comprising: querying the funds source to determine if there are sufficient funds thereat to fund the payment request [C2 L29-L41].

Re. Claim 13, Cotton discloses further comprising: debiting the source account according to the amount of the payment request [C7 L41-L46].

Re. Claim 15, Cotton discloses wherein: the currency of the local currency account is transferred to the beneficiary account via at least one intermediary financial institution in the second country [C1 L48-L54].

Re. Claims 14 and 16, Cotton, Riboud or Tyson-Quah does not explicitly disclose wherein: the currency of the local currency account is transferred directly to the beneficiary account without passing through an intermediary financial institution, and wherein: the local currency account comprises a Nostro account. However, Nostro accounts (Correspondent account) are well known where account is a demand deposit account or a current account, deposited by a local bank with the foreign bank in the currency of the country where the money is held. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosures Cotton, Riboud and Tyson-Quah and include Nostro accounts in order to make payments in the local currency via the local payment system without intermediary.

Re. Claims 17 and 18, Cotton discloses wherein: the payment is provided to the local currency account in lieu of providing the credit entry on behalf of the local currency account according to the amount of the payment request [C8 L60 to C9 L15] and

wherein: the payment is provided to the local currency account in lieu of providing the credit entry on behalf of the local currency account according to a risk profile associated with the payment request [C8 L47-L59].

Re. Claim 19, Cotton discloses wherein: the funds from the funds source are transferred to the treasury account via a clearing account [C3 L25-L76; C1 L37-L48].

Re. Claim 20, Cotton discloses wherein: the payment instruction is communicated to the local currency account in the second country via a financial interchange network [C5 L30-L46].

Re. Claims 21 and 29, Cotton further comprising: enabling tracking (convey information) of the transaction request by a user (operator) [C2 L7-L14, C57-62; C21 L48-L67 – also real time settlement]. Web-based tracking is well known, for example, sending mail/parcel using UPS can be tracked using the UPS website (page). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Cotton, Riboud, and Tyson-Quah and include web-based tracking to check if the recipient has received the money or not.

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

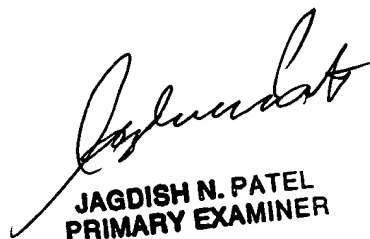
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass
Examiner
Art Unit 3693

12/18/06



JAGDISH N. PATEL
PRIMARY EXAMINER